

Remarks and Arguments

Claims 1-22 were pending in the application prior to this amendment. Claim 22 has been cancelled without prejudice of filing a divisional application. Each of the remaining independent claims 1, 8, and 14 have been amended. Claims 1-21 remain pending.

The prior claims were rejected as obvious over certain combinations of references. More specifically: Claims 1-3, 5-16 and 18-19 were rejected under § 103 as obvious over Maggenti in view of Szurkowski.

Claims 4 and 17 were rejected over Maggenti in view of Szurkowski and further in view of Kaneko et al.

Claims 20 and 21 were rejected over the combination of Maggenti in view Szurkowski and Crockett.

Claim 22 was rejected over the combination of Maggenti and Mumick.

In the prior response, Applicant distinguishes the above cited references from the claimed invention. In responding to that response, the Examiner invited Applicant to amend the claims such that the point “not registered” was further defined as may cause the Examiner to narrow his interpretation of the primary reference Maggenti.

In response thereto, Applicant has amended independent claim 1 to recite:

“...destination network computer, accessible on a public
data network, having PTT functionality and not registered for
PTT service;...”

Independent claims 8 and 14 have similarly been amended.

Support for this amendment is found in various parts of the specification, including on page 2, paragraph 2, which recites:

“This invention relates to communications services, and in particular to the extension of a wireless push-to-talk(PTT) service to include communication with any number of network computers, not registered for PTT service, but accessible by a public data network like the Internet.”

Applicant believes the foregoing amendment clarifies the distinction from the primary reference Maggenti, taken alone or in combination with the other references. Namely, Maggenti describes “pre-registration” of its “net members” and their “authorized communication devices.” As supported by the listed quotations from Maggenti in Applicants prior response, Maggenti requires pre-registration with a communications manager (CM) of all members, and only members can receive communications from other members, so that there is no unknown destination address:

“Each of the above paragraphs continually reinforces the central theme of Maggenti, that pre-registration with the CM of all members is required, and only members can receive communications from other members. Also, the CM contains a database with addresses of authorized CDs, so that there would be no unknown destination address that requires resolution.”

(December 21, 2006 Amendment, pages 8-9.)

Thus Applicants respectfully requests allowance of pending claims 1-21.

RECONSIDERATION

It is believed that all claims of the present application are now in condition for allowance.

Reconsideration of this application is respectfully requested. If the Examiner believes that a teleconference would expedite prosecution of the present application the Examiner is invited to call the Applicant’s undersigned attorney at the Examiner’s earliest convenience.

Any amendments or cancellation or submissions with respect to the claims herein is made without prejudice and is not an admission that said canceled or amended or otherwise affected subject matter is not patentable. Applicants reserve the right to pursue canceled or amended subject matter in one or more continuation, divisional or continuation-in-part applications.

To the extent that Applicant has not addressed one or more assertions of the Examiner because the foregoing response is sufficient, this is not an admission by Applicants as to the accuracy of such assertions.

Please grant any extensions of time required to enter this response and charge any fees in addition to fees submitted herewith that may be required to enter/allow this response and any accompanying papers to our deposit account 02-3038 and credit any overpayments thereto.

Respectfully submitted

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